

REMARKS

Claims 1-5, 8-12, 14, and 15, are pending and stand rejected. In view of the following remarks, the Applicant requests the Examiner's thoughtful reconsideration.

CLAIM REJECTIONS – 35 USC §103

Claims 1-5, 8-12, 14, and 15 were rejected under Section 103 as being unpatentable over USPN 6,009,410 issued to LeMole.

Claims 1-5 and 8-12: Claim 1 is directed to a method for creating a customized composition at an assembling web site and, as amended, recites the following acts:

1. providing a user interface configured to enable a user to input preference data;
2. automatically correlating the preference data to a plurality of different sources from which graphics related to the preference data are accessible;
3. for each of the plurality of different sources of graphics, automatically obtaining a reference to a graphic related to the preference data that is accessible from that source; and
4. creating a custom composition that includes each obtained reference to a graphic and information for positioning each referenced graphic on a sequence of pages generated by processing the composition.

With respect to the fourth act listed above, the Examiner asserts that LeMole teaches the creation of a composition of hyperlinks and equates that composition of hyperlinks with the creation of a composition that includes each obtained reference to a graphic. The Examiner then admits that LeMole does not teach the creation of a custom composition that includes information for positioning each referenced graphic on a sequence of pages generated by processing the composition. The Examiner instead asserts:

However, it would have been obvious to one of ordinary skill in the art at the time of invention for advertisers to provide such layout/formatting information along with their advertisements for the purpose of promoting their "wares" over potential competition residing on the same page by having their graphic, banner, etc. placed in a specific location to "catch the eye" of the potential customer.

Even if the advertisers provided layout information, such is not enough. LeMole teaches the generation of a single "aggregate HTML-formatted page" with links to other pages. See, e.g., Lemole, col. 4, line 66 through col. 5, line 1. Claim 1, on the other hand, recites creating a custom composition that includes information for positioning each referenced graphic on a sequence of pages generated by processing the composition. LeMole teaches the creation of HTML files that when processed cause the display of a single page of graphics and/or banners each linked to an advertiser's web site.

Every HTML file by its inherent nature corresponds to a single page. The Custom composition recited in claim 1 is a file that corresponds to a sequence of pages. See, e.g., Specification, paragraph [0041]. Not one of LeMole's HTML pages can be processed to generate a sequence of pages. Consequently, even if advertiser's provided layout information as suggested by the Examiner, such still does not teach the creation of a custom composition that includes information for positioning each referenced graphic on a sequence of pages generated by processing the composition.

Thus LeMole fails to teach or suggest a method that includes creating a custom composition that includes each obtained reference to a graphic and information for positioning each referenced graphic on a sequence of pages generated by processing the composition. For at least this reason Claim 1 is patentable over Nehab and Archibald as are Claims 2-5 and 8-12 which depend from Claim 1.

Claims 14 and 15: Claim 14 is directed to a program product comprising computer readable code for causing a system to implement the method of Claim 1. Claim 15 is directed to a system for implementing the method of Claim 1. For at

least the same reasons Claim 1 is patentable over Nehab and Archibald, so are Claims 14 and 15.

CONCLUSION

Claims 1-5, 8-12, 14, and 15 are felt to be in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited. The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,
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